

United States Department of Agriculture, OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 701, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF BLACKBERRY PRESERVES.

On or about November 19, 1909, the St. Louis Syrup and Preserving Company, St. Louis, Mo., shipped from the State of Missouri to the State of Texas a quantity of a food product labeled "Tiger Brand Preserves. Blackberries. St. Louis Syrup & Preserving Co., St. Louis." Samples of this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as the findings of the analyst and the report thereon indicated that the product was adulterated and misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the said St. Louis Syrup and Preserving Company and the party from whom the samples were procured were afforded opportunities for hearings. As it appeared after hearings held that the said shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General with a statement of the evidence upon which to base a prosecution.

In due course a criminal information was filed in the District Court of the United States for the Eastern District of Missouri against the said St. Louis Syrup and Preserving Company, charging the above shipment and alleging that the product so shipped was adulterated, in that loganberry preserves had been substituted for the article described in the above label and in that the product consisted in part of a filthy, decomposed, and putrid vegetable substance, said preserves containing some bacteria and a large amount of yeasts, spores, molds, and other putrifying agents, by reason whereof the said product was partly decayed; and alleging the product to be misbranded, in that the label above set forth was false and misleading and such as to mislead and deceive the purchaser, as the product was not blackberry preserves, but a preserve made of loganberries and in imitation of and offered for sale under the distinctive name of another article, to wit, blackberry preserves.

On October 8, 1910, defendant entered a plea of guilty to the above information and the court imposed a fine of \$20 and costs.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

WILLIS L. MOORE,
Acting Secretary of Agriculture.

WASHINGTON, D. C., November 9, 1910.